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NOTICE OF ALLOWANCE AND FEE(S) DUE

5642 7590 11/18/2008

SCIENTIFIC-ATLANTA, INC.
INTELLECTUAL PROPERTY DEPARTMENT
5030 SUGARLOAF PARKWAY
LAWRENCEVILLE, GA 30044

EXAMINER

VAN HANDEL, MICHAEL P

ART UNIT

PAPER NUMBER

2424

DATE MAILED: 11/18/2008

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/896,390 | 06/29/2001 | Arturo A. Rodriguez | A-7258 | 1010 |

TITLE OF INVENTION: SYSTEM AND METHOD FOR ARCHIVING MULTIPLE DOWNLOADED RECORDABLE MEDIA CONTENT

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO | \$1510 | \$300 | \$0 | \$1810 | 02/18/2009 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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5642 7590 11/18/2008
SCIENTIFIC-ATLANTA, INC.
 INTELLECTUAL PROPERTY DEPARTMENT
 5030 SUGARLOAF PARKWAY
 LAWRENCEVILLE, GA 30044

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or by facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

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| nonprovisional | NO | \$1510 | \$300 | \$0 | \$1810 | 02/18/2009 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|-----------------------|----------|----------------|
| VAN HANDEL, MICHAEL P | 2424 | 725-083000 |

| | |
|---|--|
| 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). | 2. For printing on the patent front page, list |
| <input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. | (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, |
| <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. | (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. |
| | 3. _____ |

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

| | |
|---|--|
| 4a. The following fee(s) are submitted: | 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) |
| <input type="checkbox"/> Issue Fee | <input type="checkbox"/> A check is enclosed. |
| <input type="checkbox"/> Publication Fee (No small entity discount permitted) | <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. |
| <input type="checkbox"/> Advance Order - # of Copies _____ | <input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form). |

| | | |
|--|--|---|
| 5. Change in Entity Status (from status indicated above) | <input type="checkbox"/> a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. | <input type="checkbox"/> b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). |
|--|--|---|

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Authorized Signature _____ Date _____

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or the amount of time you require to complete this form or your suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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| 5642 | 7590 | 11/18/2008 | | |
| SCIENTIFIC-ATLANTA, INC. INTELLECTUAL PROPERTY DEPARTMENT 5030 SUGARLOAF PARKWAY LAWRENCEVILLE, GA 30044 | | | | EXAMINER VAN HANDEL, MICHAEL P |
| | | | | ART UNIT 2424 PAPER NUMBER DATE MAILED: 11/18/2008 |

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 971 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 971 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

| | | |
|-------------------------------|---------------------------------------|---|
| Notice of Allowability | Application No. 09/896,390 | Applicant(s) RODRIGUEZ ET AL. |
| | Examiner MICHAEL VAN HANDEL | Art Unit 2424 |
| | | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 7/09/2008.
 2. The allowed claim(s) is/are 1,14-16,18-20,23,27,28,30 and 60-90.
 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
 6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

/Chris Kelley/
Supervisory Patent Examiner, Art Unit 2424

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by David Rodack via telephone on 11/07/2008.

The application has been amended as follows:

Claims 1-90:

No amendments.

Claim 91:

91. (Cancelled).
-
2. The following is an examiner's statement of reasons for allowance:

Referring to claim 1, the prior art of record teaches a recordable media content archiving system in a subscriber network, said recordable media content archiving system comprising:
 - a memory for storing recordable media content characterizing information;
 - a storage device configured for storing a plurality of portable storage mediums, wherein each portable storage medium is one of a plurality of different portable storage medium types; and

- a processor configured with the memory to:
 - o receive into the memory first recordable media content characterizing information corresponding to the first recordable media content, the first recordable media content characterizing information including content type and subcategories of the content type; and
 - o provide a user interface that identifies the first recordable media content and provides information about the first recordable media content, the user interface further including user-selectable lists each having plural entries, the user-selectable lists corresponding to content type, subcategories of the content type, and a choice of the plurality of portable storage mediums to download the first recordable media content, the content type user selectable list defaulting to a first entry based on the first recordable media content characterizing information associated with a type of content corresponding to the first recordable media content, the subcategory user selectable list defaulting to a second entry based on the first entry, and the choice of medium user selectable list defaulting to a third entry based on the first and second entries; and
 - o responsive to receiving a download of the first recordable media content via the subscriber network from the remote server, the processor is further configured with the memory to store the first recordable media content to the portable storage medium corresponding to the third entry.

The prior art of record does not teach or fairly suggest:

- a processor configured with the memory to:
 - o prior to a download of first recordable media content to be provided from a remote server and subsequent to a purchase of the first recordable media content:
 - receive into the memory first recordable media content characterizing information corresponding to the first recordable media content, the first recordable media content characterizing information including content type and subcategories of the content type; and
 - provide a user interface that identifies the first recordable media content and provides information about the first recordable media content, the user interface further including user-selectable lists each having plural entries, the user-selectable lists corresponding to content type, subcategories of the content type, and a choice of the plurality of portable storage mediums to download the first recordable media content, the content type user selectable list defaulting to a first entry based on the first recordable media content characterizing information associated with a type of content corresponding to the first recordable media content, the subcategory user selectable list defaulting to a second entry based on the first entry, and the choice of medium user selectable list defaulting to a third entry based on the first and second entries.

That is, the prior art of record does not teach or fairly suggest performing the receiving and providing steps at a timing “prior to a download of first recordable media content to be provided from a remote server and subsequent to a purchase of the first recordable media content.”

Claims **14-16, 18-20, 23, 27, 28, 30, 60-75** are allowed as being dependent on claim 1.

Referring to claim **76**, the prior art of record teaches a recordable media content archiving method in a subscriber network, said recordable media content archiving method comprising:

- receiving into memory first recordable media content characterizing information corresponding to the first recordable media content, the first recordable content characterizing information including content type and subcategories of the content type; and
- providing a user interface that includes the identity of the first recordable media content and information about the first recordable media content, wherein the user interface further includes user-selectable lists each having plural entries, the user-selectable lists corresponding to content type, subcategories of the content type, and a choice of the plurality of storage mediums to download the first recordable media content, the content type user selectable list defaulting to a first entry based on the first recordable media content characterizing information associated with a type of content corresponding to the first recordable media content, the subcategory user selectable list defaulting to a second entry based on the first entry, and the choice of

- medium user selectable list defaulting to a third entry based on the first and second entries; and
- responsive to receiving a download of the first recordable media content via the subscriber network from the remote server, storing the first recordable media content to the portable storage medium corresponding to the third entry.

The prior art of record does not teach or fairly suggest:

- prior to a download of first recordable media content to be provided from a remote server and subsequent to a purchase of the first recordable media content:
 - o receiving into memory first recordable media content characterizing information corresponding to the first recordable media content, the first recordable content characterizing information including content type and subcategories of the content type; and
 - o providing a user interface that includes the identity of the first recordable media content and information about the first recordable media content, wherein the user interface further includes user-selectable lists each having plural entries, the user-selectable lists corresponding to content type, subcategories of the content type, and a choice of the plurality of storage mediums to download the first recordable media content, the content type user selectable list defaulting to a first entry based on the first recordable media content characterizing information associated with a type of content corresponding to the first recordable media content, the subcategory user

selectable list defaulting to a second entry based on the first entry, and the choice of medium user selectable list defaulting to a third entry based on the first and second entries.

That is, the prior art of record does not teach or fairly suggest performing the receiving and providing steps at a timing “prior to a download of first recordable media content to be provided from a remote server and subsequent to a purchase of the first recordable media content.”

Claims **77-90** are allowed as being dependent on claim 76.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL VAN HANDEL whose telephone number is (571)272-5968. The examiner can normally be reached on 8:00am-5:30pm Mon.-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/
Supervisory Patent Examiner, Art Unit
2424

MVH